

MAY 19 2006

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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

v.

RODNEY SHAVERS,
Defendant.

Criminal No. CR 05-00668 MMC

**STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME**

The above-captioned matter came before the Court on May 18, 2005 for identification of counsel. The defendant was represented by Steven Kalar, and the government was represented by Peter Axelrod, Assistant United States Attorney. The Federal Public Defender's Office was appointed to represent the defendant. The case was set for June 6, 2006, at 9:30 a.m. for detention hearing.

The Court made a finding on the record that the time from May 18 through June 6, 2006, should be excluded under the Speedy Trial Act, 18 U.S.C. §3161(h)(8)(A), because the

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ends of justice served by taking such action outweighed the best interest of the public and the defendant in a speedy trial. That finding was based on the need for the defendant to have reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and for continuity of counsel pursuant to 18 U.S.C. § 3161(h)(8)(B)(iv).

The parties hereby agree to and request that the case be continued until June 6, 2006 and that the exclusion of time until then be granted. The parties agree and stipulate that the additional time is appropriate and necessary under Title 18, United States Code, Section 3161(h)(8)(A), because the ends of justice served by this continuance outweigh the best interest of the public and the defendant in a speedy trial.

DATED: 5/19/06

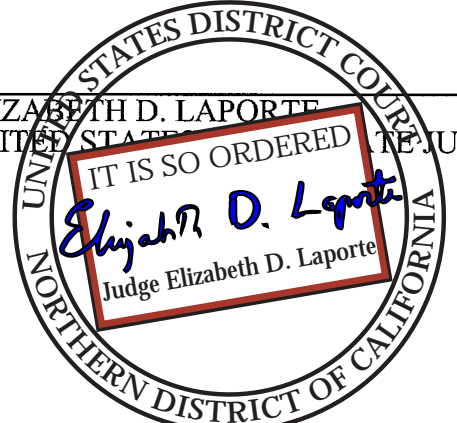
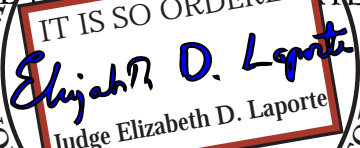

STEVEN KALAR
Counsel for Rodney Shavers

DATED: 5/18/06

/s/
JEFFREY FINIGAN
Assistant U.S. Attorney

So ordered.

DATED: June 6, 2006

ELIZABETH D. LAPORTE
UNITED STATES DISTRICT JUDGE

IT IS SO ORDERED

Judge Elizabeth D. Laporte

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee of the office of the United States Attorney, Northern District of California and is a person of such age and discretion to be competent to serve papers. The undersigned certifies that she caused copies of

STIPULATION AND [PROPOSED] ORDER EXCLUDING TIME

in the case of **UNITED STATES V. RODNEY SHAVERS, CR 05-00668 MMC** to be served on the parties in this action, by placing a true copy thereof in a sealed envelope, addressed as follows which is the last known address:

**Steven Kalar
Assistant Federal Public Defender
450 Golden Gate Avenue
San Francisco, CA 94102**

X (By Personal Service), I caused such envelope to be delivered by hand to the person or offices of each addressee(s) above.

_____ (By Facsimile), I caused each such document to be sent by Facsimile to the person or offices of each addressee(s) above.

_____ (By Mail), I caused each such envelope, with postage thereon fully prepaid, to be placed in the United States mail at San Francisco, California.

_____ (By Fed Ex), I caused each such envelope to be delivered by FED EX to the address listed above.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: May 19, 2006

/s/
RAWATY YIM
United States Attorney's Office

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ORDER EXCLUDING TIME
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